

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following amendments and remarks, are respectfully requested.

In the Office Action of August 29, 2006, the Examiner rejected claims 1-11, under 35 U.S.C. §102(e), as allegedly being anticipated by Park '496 (U.S. Pat. No. 6,714,496). The Examiner also objected to the Title as allegedly not being descriptive.

By this Amendment, claims 1-2, 6, and 9 have been amended to provide a clearer presentation of the claimed subject matter and claims 4-5, 8, and 11 have been cancelled without prejudice or disclaimer. No new matter has been added. Accordingly, after entry of this Amendment, claims 1-3, 6-7, and 9-10 will remain pending in this application.

Applicant has also amended the Title to be more descriptive. Accordingly, the immediate withdrawal of the objection to the Title is respectfully requested.

Applicant traverses the prior art rejections of claims 1-11, under 35 U.S.C. §102(e), for the following reasons.

I. Prior Art Rejections.

As indicated above, independent claim 1 now positively recites, *inter alia*, that when data is continuously recorded on first and second successive regions, a recording control unit configured to correct the tilt of the optical axis with respect to the first region based on a first tilt correction value using the tilt correction unit, record data by tracing the light beam from the leading end to the trailing end of the first region by the first tilt correction value, temporarily interrupt recording, return tracing of the light beam to the first region, correct the tilt of the optical axis with respect to the first region on the basis of a second tilt correction value using the tilt correction unit while tracing the light beam from the first region toward the leading end of the second region, and record data by tracing the light beam from the leading end to the trailing end of the second region by the second tilt correction value.

Such features are amply supported by the embodiments disclosed in the written description. For example, the disclosed embodiments provide that, when data is recorded or reproduced relative to the two successive regions, *i.e.*, the first and second regions, and a first

tilt correction value suitable for a first region and a second tilt correction value suitable for a second region are calculated, the continuous recording process proceeds as follows:

Recording process 1 : record data by tracing the light beam from the leading end to the trailing end of the first region by the first tilt correction value;

Recording process 2 : temporarily interrupt recording;

Recording process 3 : return tracing of the light beam to the first region, and correct the tilt of the optical axis with respect to *the first region* based on *the second tilt correction value* while tracing the light beam from the first region toward the leading end of the second region; and

Recording process 4 : record data by tracing the light beam from the leading end to the trailing end of the second region by the second tilt correction value.

As such, the second tilt correction value relative to the first region is set in the recording process 3, which is a preparatory stage for recording process 4 in which data is actually recorded in recording processes 1 and 4. In the recording process 3, an optical axis correction based on the second tilt correction value is set to be stable. Thus, in the recording process 3, the second tilt correction value is set relative to the first region although the first tilt correction value should originally be set relative to the first region.

On the other hand, the continuous reproduction process is proceeded as follows:

Reproduction process 1: reproduce data by tracing the light beam from the leading end to the trailing end of the first region by the first tilt correction value.

Reproduction process 2: temporarily interrupt reproduction.

Reproduction process 3: return tracing of the light beam to the first region, and correct the tilt of the optical axis with respect to *the first region* on the basis of *the second tilt correction value* while tracing the light beam from the first region toward the leading end of the second region.

Reproduction process 4: reproduce data by tracing the light beam from the leading end to the trailing end of the second region by the second tilt correction value.

As such, the second tilt correction value relative to the first region is set in the reproduction process 3. The reproduction process 3 is a preparatory stage for the reproduction process 4. In the reproduction process 3, an optical axis correction based on the second tilt correction

value is set to be stable. Thus, in the reproduction process 3, the second tilt correction value is set relative to the first region although the first tilt correction value should originally be set relative to the first region.

With this said, Applicant submits that the asserted reference, Park '496, fails to teach and suggest each and every element of claim 1, including the features identified above. To put it simply, there is nothing in Park '496 that remotely teaches anything regarding the continuous recording process for continuously recording data on a plurality of successive regions – much less, the use of a recording control unit configured to return tracing of the light beam to the first region and correct the tilt of the optical axis with respect to the first region based on a second tilt correction value using the tilt correction unit while tracing the light beam from the first region toward the leading end of the second region, as required by claim 1.

For at least these reasons, Applicant submits that Park '496 cannot anticipate claim 1. As such, claim 1 is clearly patentable. And, because claims 2 and 3 depend from claim 1, claims 2 and 3 are patentable at least by virtue of dependency as well as for its additional recitations. Namely, with respect to claim 2, there is nothing in Park '496 that remotely teaches continuous reproduction process for continuously reproducing data from a plurality of successive regions, as claimed. Nor does Park '496 suggest the use of a reproduction control unit configured to return tracing of the light beam to the first region and correct the tilt of the optical axis with respect to the first region based on the second tilt correction value using the tilt correction unit while tracing the light beam from the first region toward the leading end of the second region, as also required by claim 2. Accordingly, the immediate withdrawal of the prior art rejections of claims 1 and 2 is respectfully requested.

Applicant further submits that independent claims 6 and 9 recite similar patentable features as claims 1 and 2, claims 6 and 9 are patentable for at least the reasons presented with respect to claims 1 and 2. And, because claim 7 and 10 depend from independent claims 6 and 9, respectively, claims 7 and 10 are patentable at least by virtue of dependency as well as for their additional recitations. Accordingly, the immediate withdrawal of the prior art rejections of claims 6-7 and 9-10 is respectfully requested

II. Conclusion.

All matters having been addressed and in view of the foregoing, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant's Counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. If any point remains in issue in which the Examiner feels may be best resolved through a personal or telephone interview, please contact the Undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number **03-3975**. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

**PILLSBURY WINTHROP
SHAW PITTMAN LLP**

By: 

E. R. HERNANDEZ
Reg. No. **47641**
Tel. No. 703.770.7788
Fax No. 703.770.7901

Date: November 28, 2006
P.O. Box 10500
McLean, VA 22102
(703) 770-7900